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7 *Admitted Pro Hac Vice*  
8 Attorneys for Plaintiff DENNIS MONTGOMERY, THE MONTGOMERY FAMILY TRUST, AND  
THE TRUSTEES OF THE MONTGOMERY FAMILY TRUST.

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 DENNIS MONTGOMERY, and the )  
11 MONTGOMERY FAMILY TRUST, ) 3:06-CV-00056-PMP-VPC  
12 Plaintiffs, ) **BASE FILE**  
13 v. )  
14 ETREPPID TECHNOLOGIES, LLC, ) 3:06-CV-00145-PMP-VPC  
15 WARREN TREPP, and the UNITED )  
16 STATES DEPARTMENT OF DEFENSE, ) **DECLARATION OF ATTORNEY IN**  
17 Defendants. ) **SUPPORT OF EX PARTE MOTION TO**  
18 AND ALL RELATED MATTERS. ) **WITHDRAW AS COUNSEL FOR**  
19 **MONTGOMERY.**

20 **DECLARATION OF MICHAEL J. FLYNN**

21 I, Michael J. Flynn, declare:

22 1. I am an attorney licensed to practice in the state of Massachusetts. I have appeared pro hac  
23 vice as counsel for Dennis Montgomery, individually and as Trustee of the Montgomery  
24 Family Trust, Brenda Montgomery, as Trustee of the Montgomery Family Trust, and the  
25 Montgomery Family Trust, (hereinafter "Montgomery"), in the above captioned related  
26 cases, 3:06-cv-0056 and 3:06-cv-00145, and 3:06-cv-0263. I have personal knowledge of  
27 the facts stated herein, and if called as a witness, I could and would testify competently to  
them.

28 2. I respectfully request that I be allowed to withdraw forthwith because Mr. Montgomery and  
his family Trust have "breached an obligation for the payment of fees," and Mr.

Montgomery has “engaged in conduct that has made continued representation unreasonably difficult.”

3 3. A copy of these moving papers regarding withdrawal have been e-mailed to Mr.  
4 Montgomery at his current e-mail address, and mailed to Mr. Montgomery and his Family  
5 Trust at Opspring, LLC.

6 I declare under penalty of perjury under the laws of the United States and the State of  
7 Nevada that the foregoing is true and correct. Signed this 9th day of July 2007 in Boston,  
8 Massachusetts.

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Michael J. Flynn, Esq.

## **CERTIFICATE OF SERVICE**

I, Carla A. DiMare, declare: I am an attorney admitted pro hac vice in the United States District Court of Reno in the related civil cases, U.S.D. Reno, No. 3:06-CV-00056 and 3:06-CV-000145. I am over the age of 18 years and not a party to this action.

I am familiar with the practice for the collection of mail, delivery of hand-deliveries, process of facsimile, and the practice of mailing.

On July \_\_\_, 2007, I caused the foregoing document (Declaration and this Certificate of Service), to be mailed to the following persons and/or entities:

Atorneys Stephen Peek & Jerry Snyder  
HALE LANE  
5441 Kietzke Lane, 2<sup>nd</sup> Fl.  
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Attorney Carlotta P. Wells,  
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Opspring, LLC  
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/S/  
Attorney Carla DiMare